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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK NY 10112

EXAMINER

JONES, P

ART UNIT

PAPER NUMBER

2664

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/022,979

Applicant(s)  
Niida et al

Examiner  
Prenell Jones

Art Unit  
2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 8, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11, 14-17, 28, 32-35, and 42-53 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11, 14-17, 28, 32-35, and 42-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or electric requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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*Response to Arguments*

1. Applicant's arguments with respect to claims 11, 14-17, 28, 32-35 and 42-53 have been considered but are moot in view of the new ground(s) of rejection.

*Claim Rejections - 35 U.S.C. § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakatsugawa.

Regarding claims 11 and 14, Nakatsugawa discloses (Abstract, Figs. (1-3, 14 & 15, col. 1, line 40 thru col. 2, line 37) a first/second communication apparatus and external devices operating with different protocols (first/second communication means), (col. 22, line 1-41) a Serial Command Interface (SCI) used to communicate command data, (col. 21 thru 22) a communication device/system conforms to IEEE 1394 communication standard and the (col. 1, 2 & 21, line 7-36)

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execution of a centralization process (predetermined function) in communicating digital data among multiple protocol devices.

***Claim Rejections - 35 U.S.C. § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15-17, 28, 32-35 and 42-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsugawa in view of Rosenberg et al.

Regarding claims 15-17 and 45, Nakatsugawa discloses (Abstract, Figs. (1-3, 14 & 15, col. 1, line 40 thru col. 2, line 37) a first/second communication apparatus and external devices operating with different protocols (first/second communication means), (col. 22, line 1-41) a Serial Command Interface (SCI) used to communicate command data, (col. 21 thru 22) a communication device/system conforms to IEEE 1394 communication standard for connecting computer peripheral systems (external devices) and the (col. 1, 2 & 21, line 7-36) execution of a centralization process (predetermined function) in communicating digital data among multiple protocol devices. However, Nakatsugawa is silent on a second communication means conforming

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to RS-232C, RS-422 and USB standard, whereas in analogous art, Rosenberg (5,734,373) discloses (Abstract, Figs. 1, 4, col. 3, 4, ) controlling force feedback function (predetermined function) associated with multiple interface systems in association with host computers wherein different types of host command protocols/command parameters are transmitted, (col. 7, line 5-67) using various serial communication interfaces/protocols systems that include RS232, RS422, USB standards and its' associated device wherein an associated device such as a joystick/mouse/keyboard performs a force feedback function with respect to transmitted commands. Therefore, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to implement the use of an RS232, RS422 and/or USB standards for serial communications which is taught by Rosenberg into the communication system that is taught by Nakatsugawa because Nakatsugawa teaches controlling a function with external devices/systems in conjunction with IEEE 1394 which is a serial communication standard.

Regarding claims 28, 42 and 47, as indicated above, Nakatsugawa discloses (Abstract, Figs. (1-3, 14 & 15, col. 1, line 40 thru col. 2, line 37) a first/second communication apparatus and external devices operating with different protocols (first/second communication means), (col. 22, line 1-41) a Serial Command Interface (SCI) used to communicate command data, (col. 21 thru 22) a communication device/system conforms to IEEE 1394 communication standard for connecting computer peripheral systems (external devices) and the (col. 1, 2 & 21, line 7-36) execution of a

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centralization process (predetermined function) in communicating digital data among multiple protocol devices. He further discloses (col. 18-19) multiple external devices connected to various communication systems/apparatus wherein the data exchange is controlled between communication apparatus/external devices and the shifting of active communication apparatus is provided to maintain reliable communication.

Claims 32-35 include the limitations of claims 28 and 14-17, therefore, claims 32-35 are rejected for the same reason that claims 28 and 14-17 are rejected.

Claim 43 includes the limitations of claims 11 and 28, therefore, claim 43 is rejected for the same reason that claims 11 and 28 are rejected.

Regarding claim 44, as indicated above,

Claim 46 include the limitations of claims 28 and 44, therefore, claim 46 is rejected for the same reason that claims 28 and 44 are rejected.

Claims 48-51 include the limitations of claims 42 and 14-17, therefore, claims 48-51 are rejected for the same reason that claims 42 and 14-17 are rejected.

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Claim 52 include the limitations of claims 42 and 44, therefore, claim 52 is rejected for the same reason that claims 42 and 44 are rejected.

Claim 53 include the limitation of claims 42 and 35, therefore, claim 53 is rejected for the same reason that claims 42 and 35 are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones 

May 20, 2001



HUY D. VU  
PRIMARY EXAMINER